

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 4, 26, 29-34, 36, 38-40, and 43-48 are pending. In the present amendment, Claims 1, 26, 29 and 36 are amended; and new Claims 43-48 are added. Support for the present amendments can be found in the original specification, for example, at paragraph [0064] on page 28, and in Claims 1, 26, 29 and 36. Thus, it is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1, 3, 4, 26, 29-34, 36, and 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kondo et al. (U.S. Patent No. 5,586,254, hereinafter, "Kondo") in view of Schaffer et al. (U.S. Patent No. 7,650,520, hereinafter, "Schaffer").

Turning now to the rejection under 35 U.S.C. § 103(a) based on Kondo and Schaffer, Applicant respectfully requests reconsideration of this rejection and traverses this rejection, as discussed below.

Claim 1 recites, *inter alia*,

wherein, based on said importance of said status information acquired by said acquiring means, said control means physically deforms a shape of a shape-variable member disposed in said building.

Applicant submits that Kondo in view of Schaffer does not disclose or suggest this feature.

In contrast, Kondo discusses a system for managing and operating a network in which multiple computers and network devices are connected to each other. The system takes measures in case of a fault or failure of the network, including displaying the location of a fault, changing the color of a display, flashing lights on or off, changing the size of the

display or changing display symbols.¹ However, as acknowledged in the Office Action on page 4, Kondo “does not expressly teach said control means applies current to a shape-variable member disposed around a point of entry in said building to transform said shape-variable member from a shape-fixed state to a shape-variable state to physically deform a shape of said shape-variable member or controls power supply to an electric socket disposed in said building to physically change said configuration.” Instead, the Office Action relies on Schaffer to cure the deficiencies of Kondo.

Schaffer describes an apparatus for centralized power management in which a central processing unit 252 supplies power to devices, electrical outlets connected to the devices, or a power supply port 264. However, Shaffer does not disclose or suggest a shape-variable member that transforms from a shape-fixed state to a shape-variable state upon application of current, as recited in Claim 1. Accordingly, it is respectfully requested that the rejection of Claim 1, and all claims dependent thereon, be withdrawn.

Independent Claims 26, 29, and 36 recite features similar to those found in Claim 1. Accordingly, in view of the above discussion with respect to Claim 1, it is respectfully submitted that the combination of Kondo and Schaffer does not disclose or suggest every feature recited in amended Claims 26, 29, and 36. Thus, it is respectfully requested that the rejection of Claims 26, 29, and 36, and all claims dependent thereon, be withdrawn.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

New Claims 43-48 are added by the present amendment. Support for new Claims 43-48 can be found in the original specification, for example, at paragraph [0064] on page 28, and in Claims 1, 26, 29 and 36. Thus, it is respectfully submitted that no new matter is added. New Claims 43-48 depend from Claims 1, 26, 29 and 36, and thus are believed to be

¹ See Kondo, at col. 26, lines 15-18.

patentable for at least the reasons discussed above with respect to Claims 1, 26, 29 and 36.
Accordingly, it is respectfully requested that new Claims 43-48 be allowed.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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